REMARKS

Initially, in the Office Action, the Examiner has rejected claims 1-10 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,559,860 (Mizikovsky) in view of U.S. Patent No. 6,198,812 (Weber).

By the present response, Applicant has amended claims 1, 3-6, 9 and 10 to further clarify the invention. Claims 1-10 remain pending in the present application.

35 U.S.C. § 103 Rejections

Claims 1-10 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Mizikovsky in view of Weber. Applicant has discussed the deficiencies of Mizikovsky in Applicant's previously-filed responses and reasserts all arguments submitted in those responses. Applicant respectfully traverses these rejections and provides the following additional remarks.

Weber discloses a telephone line call filter or automatic call screening device. It enables a user of an ordinary telephone to be selective about answering incoming calls. Operation is obtained by recognizing the successive repetition of an incoming call originated by a caller. The caller places a first call, lets it ring through one or more times and hangs up. The called party or local subscriber's telephone remains silent and does not ring under this first call instance. Then the caller immediately re-dials and places a second call to the same subscriber's number whereupon the called party's telephone commences ringing.

Regarding claims 1, 5, 6 and 10, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose suggest or render obvious the limitations in the combination of each of these claims. For example, none of the cited references disclose or suggest determining if the calling party's phone number has been flagged as a phone number capable of causing the mobile phone to answer itself. The Examiner asserts that Mizikovsky discloses these limitations at column 13, lines 1 through 21. However, these portions merely disclose that a caller id processor may activate devices when the caller id processor detects a match between calling party identifying data included in the received "alert with information" message

and identifying data previously selected by the user and stored in caller id memory. This is not determining if the calling party's phone number has been flagged as a phone number capable of causing the mobile phone to answer itself (i.e., full-duplex connection), as recited in the claims of the present application. Mizikovsky merely discloses when a calling party id is matched to a stored identifying data, the caller id processor activates other devices as shown in figure 5. In contrast, limitations in the claims of the present application relates to a mobile phone answering itself creating a full-duplex connection. For the Examiner's better understanding, "full-duplex" is defined as a transmission mode which supports transmission in two directions, simultaneously, or more technically, bidirectional, simultaneous two-way communications, (Newton's Telecom Dictionary, 21st Edition, pg. 361).

Moreover, Mizikovsky does not disclose or suggest automatically answering the call when the calling party's phone number is flagged as a phone number capable of causing the mobile phone to answer itself creating a full-duplex connection with the calling party, as recited in the claims of the present application. The Examiner admits that Mizikovsky does not disclose or suggest these limitations, but asserts that Weber discloses these limitations at column 9, lines 14 through 26. However, these portions merely disclose prioritizing into two broad categories, one being higher priority calls which a subscriber wants to ring through to his telephone set and the other being lower priority calls which the subscriber may prefer to have diverted to an answering system, and also recognizing a unique two-tier ringing sequence pattern as a flag to direct a call to a subscriber's telephone, whereas other incoming calls may be diverted to an answering system. This is not automatically answering the call when the calling party's number is flagged as a phone number capable of causing the mobile phone to answer itself creating a full-duplex connection with the calling party, as recited in the claims of the present application. Ringing through to a telephone set or diverting the call to an answering system is not a mobile phone automatically answering the call creating a full-duplex connection with the calling party. Ringing a telephone set and diverting to an answering system does not establish a full-duplex connection, or a connection with the calling party.

In addition, Applicant submits that none of the cited references disclose or suggest monitoring the keypad entries input by the calling party. The Examiner asserts that Mizikovsky discloses these limitations in column 2, lines 21 through 31. However, these portions merely disclose objects of the Mizikovsky invention such as providing improved apparatus for use in a cellular telephone system for detecting incoming calls from particular calling parties and providing pre-programmed responses to such calls, responding to incoming calls in a cellular telephone system without distracting the user, and providing for selectively answering an incoming call transmitted to a cellular telephone mobile station in which the answer to that incoming call is a pre-programmed function of the identity of the calling party. These portions do not disclose or suggest monitoring the keypad entries input by the calling party, as recited in the claims of the present application. Niether Mizikovsky nor Weber disclose or suggest monitoring keypad entries or monitoring keypad entries input by the calling party. These limitations are neither disclosed nor suggested by any of the cited references.

Moreover, Applicant submits that none of the cited references disclose or suggest determining if the keypad entries input by the calling party match a pre-set code, or returning control of the call to the mobile phone when the keypad entries input by the calling party match the pre-set code, or automatically answering the call creating a full-duplex connection with the calling party. The Examiner asserts that all of these limitations are disclosed in Mizikovsky at column 1, lines 13 through 34. However, these portions merely disclose communications between a base station and a mobile station such as apprising the mobile station of an incoming call by means of an alert message transmitted from the base station to the mobile station, where the alert message includes various codes to identify the type of message being transmitted, the number of words included in the message, and various other types of information that are used in cellular telephone systems. These portions do not disclose or suggest determining if the keypad entries input by the calling party match a pre-set code, as recited in the claims of the present application. These portions merely relate to a base station alerting a mobile station of an incoming call. These portions do not disclose or suggest anything related to keypad entries input by a calling party or determining if the keypad entries match a pre-set code.

Further, these portions do not disclose or suggest <u>returning control of the call to the mobile phone</u> when the keypad entries input by the calling party match the pre-set code. These limitations are neither disclosed nor suggested by Mizikovsky nor Weber. In addition, none of the cited references disclose <u>automatically answering the call creating a full-duplex connection with the calling party</u>. The Examiner admits that Mizikovsky fails to disclose or suggest creating a full-duplex connection with the calling party, but asserts that Snyder (sic, Applicant assumes Examiner meant Weber) discloses these limitations in column 12, lines 37 through 62. However, these portions do not disclose or suggest <u>automatically answering the call creating a full-duplex connection with the calling party</u>, as recited in the claims of the present applicaton.

Regarding claims 2-4 and 7-9, Applicant submits that these claims are dependent on one of independent claims 1 and 6 and, therefore, are patentable at least for the same reasons noted previously regarding these independent claims.

Accordingly, Applicant submits that none of the cited references, taken alone or in any proper combination, disclose, suggest or render obvious the limitations in the combination of each of claims 1-10 of the present application. Applicant respectfully requests that these rejections be withdrawn and that these claims be allowed.

Conclusion

In view of the foregoing amendments and remarks, Applicants submit that claims 1-10 are now in condition for allowance. Accordingly, early allowance of such claims is respectfully requested. If the Examiner has any questions about the present amendment or anticipates finally rejecting any claim of the present application, a telephone interview is requested.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 13-4365.

Respectfully submitted,

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